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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,030

03/09/2006

Etienne Chapelain

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757 7590 03/17/2008  
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EXAMINER

SPISICH, GEORGE D

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

03/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/520,030	<b>Applicant(s)</b> CHAPELAIN ET AL.	
	<b>Examiner</b> GEORGE D. SPISICH	<b>Art Unit</b> 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/29/04;5/27/05;3/26/07</u> .                                | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION*****Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, one of the mounting elements "without a degree of freedom" (claim 6) must be shown or the feature(s) canceled from the claim(s). Presently, the mounting elements of Figure 1 (which the specification identifies to be different) appear identical and would be considered to have the same degree of freedom of movement. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

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the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 is unclear since the Figures do not show what is intended to be claimed by the phrase “without a degree of freedom of movement”.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujita (USPN 6,139,051).

Fujita discloses a steering wheel comprising a frame to be connected to a steering shaft, the frame having radially outwardly extending spokes and a rim.

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The frame defines a recess to receive an air-bag unit. The steering wheel being provided with a plurality of mounting elements (44a,44b) being associated with a respective spoke and having a portion overlying part of the steering wheel. The term "overlying" merely means "on top of" and the upper flange (near 44b) at least is "overlying" the steering wheel. Each of the mounting elements being adjacent a periphery of the air-bag unit, the air-bag unit being connected to the mounting elements by means of a respective resiliently biased connection, which is a compressible helical spring (55B), to enable relative movement of the air-bag unit with respect to the steering wheel. The periphery of the airbag unit defines a substantially predetermined gap with the portion of the mounting element. Since these elements are spaced, they are considered to have a "predetermined gap".

At least one of the resiliently biased connections between the airbag unit and one of the mounting elements of the steering wheel includes electric contacts configured to be moved to touch each other on movement of the airbag unit against the bias of the resiliently biased connection to complete and horn or hooter circuit.

With respect to the terms "with/without a degree of freedom of movement", since Applicant has not shown any structure that is different, Examiner is considering the mounting elements to be able to be moved in one direction (such as laterally to the left) that allows the mounting elements to "slide" relative to the steering wheel to the left, while not allowing for the opposite mounting element to movement/slide laterally to the left.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujita (USPN 6,139,051) in view of Kikuta et al. (USPN 6,600,114).

Fujita has been discussed in the prior rejection. However, Fujita does not disclose a “snap” socket for connecting the upper portion of the spring on a projecting peripheral lip of the airbag unit.

Kikuta et al. discloses a projecting peripheral lip on the airbag unit that defines a socket that receives the upper portion of the spring. It would be considered that the spring is “snap-fit” in the socket. The socket serves to more securely retain the spring and to provide a more secure connection of the spring to the airbag unit.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the spring connection of Fujita by providing a socket connection as taught by Kikuta et al. to securely retain the spring and airbag unit.

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***Allowable Subject Matter***

Claims 7-10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bohn et al. (USPUB 2003/0197355), Derrick et al. (USPUB 2003/0075905), Derrick et al. (USPN 6,793,237), Fujita et al. (USPN 6,626,458), Fujita (USPN 6,478,330), Bohn et al. (USPN 6,312,012), Bohn et al. (USPN 6,257,615), Xu et al. (USPUB 2003/0155752), Xu et al. (USPN 5,338,906), Ishida (USPN 5,023,412), Ikeda et al. (USPUB 2001/0011815), Szigethy (USPN 5,350,190).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE D. SPISICH whose telephone number is (571)272-6676. The examiner can normally be reached on Monday-Friday 9:00 to 6:30 except alt. Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

George D. Spisich  
March 2, 2008

/Lesley D. Morris/

Supervisory Patent Examiner, Art Unit

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